

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

**MOREHOUSE ENTERPRISES LLC d/b/a** )  
**BRIDGE CITY ORDINANCE *et al.*,** )  
) **Case No. 3:22-cv-00116-PDW-ARS**  
**Plaintiffs,** )  
)   
**v.** )  
)   
**BUREAU OF ALCOHOL, TOBACCO,** )  
**FIREARMS AND EXPLOSIVES *et al.*,** )  
)   
**Defendants.** )  
)   
\_\_\_\_\_ )

# JOINT STATUS REPORT

On December 9, 2024, the Court directed the parties to file a joint status report by May 1, 2025. Status Report Order, Dec. 9, 2024 (Doc. No. 157). In accordance with the Court's Order, the parties now respectfully file this Joint Status Report.

1. This case involves an Administrative Procedure Act challenge to a rule issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) pertaining to firearms, 87 Fed. Reg. 24,652 (Apr. 26, 2022) (codified at 24 C.F.R pts. 447, 478, and 479).

2. In February 2024, Defendants filed an unopposed motion to stay proceedings in this case pending the final disposition of a petition for certiorari in *Garland v. VanDerStok*, No. 23-852 (S. Ct.), a case involving an Administrative Procedure Act challenge to the same rule challenged here. Doc. No. 137. The Court granted the motion and stayed proceedings in this case. Doc. No. 138.

3. Following the Court’s entry of a stay, the Supreme Court granted the certiorari petition in *VanDerStok*. *Garland v. VanDerStok*, 144 S. Ct. 1390 (2024). On March 26, 2025, the Supreme Court held that the challenged rule is facially consistent with the Gun Control Act of 1968, 18 U.S.C. § 921 *et seq.* (“GCA”). *See Bondi v. VanDerStok*, 145 S. Ct. 857, 874 (2025) (“The plaintiffs do not challenge ATF’s new rule as applied to particular products. They argue only that [it] is facially

inconsistent with the GCA. . . . [W]e have no trouble rejecting that unqualified view.”); *see also id.* at 876 (concluding that “[t]he GCA embraces, and thus permits ATF to regulate, some weapon parts kits and unfinished frames or receivers, including those we have discussed”).

4. A recent Executive Order has directed the Attorney General to “review . . . [r]ules promulgated by the Department of Justice, including by [ATF], from January 2021 through January 2025 pertaining to firearms. . . .” Exec. Order No. 14,206, 90 Fed. Reg. 9503 (Feb. 7, 2025). The parties therefore respectfully request that the Court maintain the present stay to allow the Attorney General to review the underlying rule at issue in this case. The parties further respectfully suggest that they file a further joint status report in this case on or before August 1, 2025.

Dated: May 1, 2025

Respectfully submitted,

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